

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

PENNSYLVANIA NATIONAL)
MUTUAL INSURANCE COMPANY,)
)
 Plaintiff,)
)
 VS.) Civil Action Number: CV-08-J-0635-S
)
 HANNA STEEL CORPORATION,)
 ET AL,)
)
 Defendants.)

**RESPONSE TO FIREMAN'S FUND INSURANCE COMPANY'S AND
AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY'S
MOTIONS FOR SUMMARY JUDGMENT**

COMES NOW the plaintiff, Pennsylvania National Mutual Insurance Company ("Penn National"), and responds to Fireman's Fund Insurance Company's ("Fireman's Fund") and American Manufacturers Mutual Insurance Company's ("AMMI") motions for summary judgment.

Penn National recognizes that Fireman's Fund and AMMI dispute they owe Hanna Steel coverage based upon the absolute total pollution exclusions contained in their respective liability policies for the claims being asserted in the underlying state tort cases.

However, to the extent Fireman's Fund and AMMI owe Hanna Steel coverage under their liability policies, Penn National contends they should required to share in the defense costs and indemnification of Hanna Steel associated with those underlying state cases.

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CERTIFICATE OF SERVICE

I hereby certify that I have this the 2 day of October, 2008 served a copy of the foregoing to all attorneys of record by electronically filing and/or placing a copy of same in the United States Mail, postage prepaid and properly addressed as follows:

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